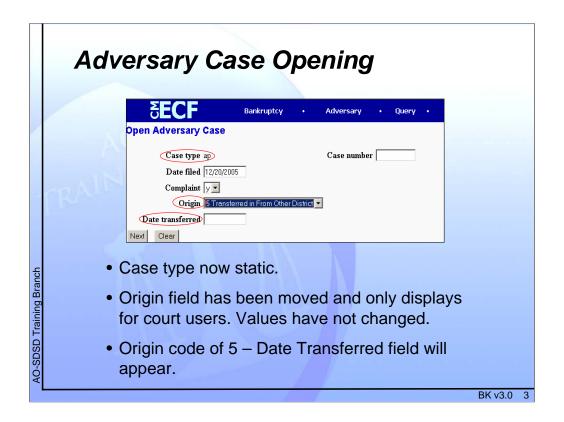# Bankruptcy Version 3.0

ADVERSARY CASE OPENING

By the end of this module you will be able to:

- explain changes to Adversary Case opening screens.
- file an adversary proceeding with multiple Natures of Suit.
- describe a corporate parent.

Adversary Case Opening

- Case type now static.
- Origin field has been moved and only displays for court users. Values have not changed.
- Origin code of 5 – Date Transferred field will appear.

BK v3.0   3

AO-SDSD Training Branch

There are several changes to the process of opening an Adversary Case in Version 3.0. There are enhancements to collect more data and to streamline the process. The Case Type is now a static value of ap. The Origin field has been moved from the statistical screen to the case opening screen. The Origin field for adversaries only displays for court users and the values have not changed. If this is a case transferred in from another district and opened with a Origin code of 5, a Date Transferred field will appear. Otherwise the Date Transferred field will not appear.

Adversary Case Opening

Optional search by "First" and "Middle" names
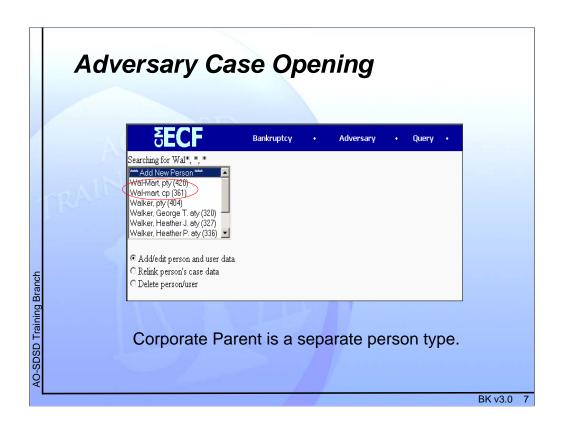
BK v3.0   4

Only plaintiffs and defendants can be added when filing this complaint so the user will not have to select the role type any more on the Party Information screen. The role type appears at the top of the screen. One can now limit the search by using the First Name and Middle Name. The First Name and Middle Name fields are optional, however the Last Name field is still a required entry if not searching by SSN or Tax ID. Attorneys must still add themselves as the counsel for the plaintiff when opening an adversary.

Adversary Case Opening

- Field Control when adding a party
- No *pro se* designation

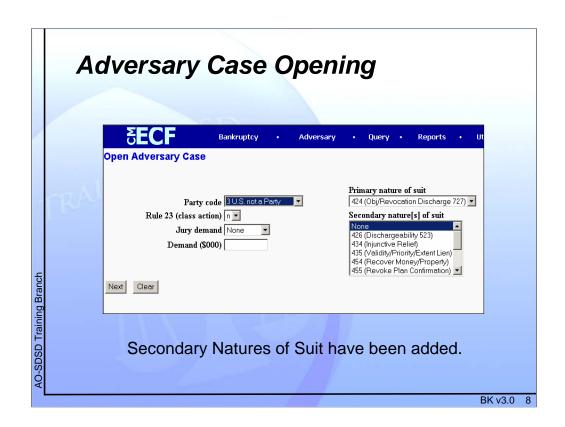Each court can now configure required party fields. An error message will appear for those fields designated as mandatory and prevent the user from proceeding. Other fields can generate warning messages if no entry is made. The *pro se* field has also been removed from the party information screen. The *pro se* flag will be set by the system depending upon attorney representation in case opening and during the progress of the case.

Adversary Case Opening

New Corporate Parent button

AO-SDSD Training Branch

BK v3.0   6

All party information screens, including case opening, now contain a Corporate Parent selection. This is an optional feature that can be used for the v3 Judge Conflict Checking program to determine potential conflicts of interest. A business debtor may have a Corporate Parent if owned or affiliated with other companies. Refer to the module on bankruptcy case opening or to the Application Administrator Guide for more information on this program.

Adversary Case Opening

Corporate Parent is a separate person type.

BK v3.0   7

Remember, a Corporate Parent is a separate person type and will not appear if one searches the database during AddPty routines unless this party is also on the database on a case as another party type. The example above shows the Person search screen results where Wal-Mart is in the database as a party as well as a Corporate Parent. They may not even be on the same case**.**

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Adversary Case Opening

Open Adversary Case

Party code: 3 U.S. not a Party

Rule 23 (class action): n

Jury demand: None

Demand ($000):

Primary nature of suit: 424 (Obj/Revocation Discharge 727)

Secondary nature[s] of suit:
- None
- 426 (Dischargeability 523)
- 434 (Injunctive Relief)
- 435 (Validity/Priority/Extent Lien)
- 454 (Recover Money/Property)
- 455 (Revoke Plan Confirmation)

Next   Clear

Secondary Natures of Suit have been added.

BK v3.0   8

More than one Nature of Suit can now be entered for an Adversary Proceeding. The primary Nature of Suit should still be the main issue of the complaint and any number of secondary Natures of Suit can be selected from the secondary list. Both primary and secondary Natures of Suit will be reported to the Statistics Divisions through modified statistical reports. The editing screen for case data has been modified for any corrections.

Adversary Case Opening

727OBJ

12/06/2005	86	Adversary case 05-01007. (426 (Dischargeability 523),434 (Injunctive Relief)), Complaint by Keith Halvorson against Carol J. Hammock . Receipt Number cc, Fee Amount $150 (Fletcher, Tom) (Entered: 12/06/2005)

- Adversary case number and Nature of Suit will spread to docket text of lead bankruptcy case.
- The 727OBJ Objection to Discharge flag can now silently spread to the lead bankruptcy case if the Nature of Suit is 424.
- Adding this flag will no longer be a separate task.
- Dictionary modification needed.

AO-SDSD Training Branch

BK v3.0   9

When the text of the complaint spreads (via the SpreadText DPF) to the lead event, the generated docket text automatically includes "Adversary case" and the AP case number at the beginning as well as the Natures of Suit descriptions. It will now be possible to have the 727OBJ flag spread to the lead bankruptcy case when the adversary proceeding is filed. A dictionary modification is necessary for this functionality. Adding this flag will no longer be a separate task for court staff although it should still be an important QC task.